

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA**

Civil Action No.3:06-CV-00178

RHONDA C. DAVIS,

Plaintiff,

Vs.

**TRANS UNION LLC, and
STERLING AND KING, INC.,**

Defendants.

RENEWED MOTION TO DISMISS

In response to Plaintiff's attempted service of the complaint on August 16, 2006, Defendant Sterling & King, Inc. hereby adopts and incorporates its Motion to Dismiss and supporting memorandum filed August 1, 2006 and its Response in Opposition to Plaintiff's Motion for Extension of Time for Service of Process filed August 18, 2006. In light of the motions currently pending before this Court, Defendant does not believe any formal pleading or response to the attempted service on August 16, 2006 is required, as this Court's ruling could make such attempted service moot and/or render the filing date of this action as of the date of the most recent summons. Defendant therefore reserves its right to more fully answer the same or raise additional motions after this Court rules on the motions before it.

This the 5th day of September, 2006.

POYNER & SPRUILL LLP

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CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of September, 2006, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

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